

HOUSE BILL 571

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CF 3lr2929

By: **Delegate Kipke**

Introduced and read first time: February 3, 2023

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Overdose Response Program – Opioid Overdose Reversal Drugs – Choice of**
3 **Formulation and Dosage**

4 FOR the purpose of requiring the Maryland Department of Health to allow certain entities
5 provided opioid overdose reversal drugs by the Department under the Overdose
6 Response Program to choose the formulation or dosage of opioid overdose reversal
7 drugs approved by the federal Food and Drug Administration with which the entity
8 is to be provided; and generally relating to the Overdose Response Program.

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 13–3103
12 Annotated Code of Maryland
13 (2019 Replacement Volume and 2022 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 13–3103.

18 (a) The Department shall adopt regulations necessary for the administration of
19 the Program.

20 (b) The Department may:

21 (1) Collect fees necessary for the administration of the Program;

22 (2) Authorize private or public entities to conduct education and training
23 on opioid overdose recognition and response that include:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(i) Education on recognizing the signs and symptoms of an opioid overdose;

(ii) Training on responding to an opioid overdose, including the administration of opioid overdose reversal drugs approved by the federal Food and Drug Administration; and

(iii) Access to opioid overdose reversal drugs approved by the federal Food and Drug Administration and the necessary supplies for the administration of the opioid overdose reversal drugs;

(3) Develop guidance regarding the content of educational training programs conducted by private or public entities; and

(4) Collect and report data on the operation and results of the programs.

(c) An individual is not required to obtain training and education on opioid overdose recognition and response from a private or public entity under subsection (b) of this section in order for a pharmacist to dispense an opioid overdose reversal drug approved by the federal Food and Drug Administration to the individual.

(d) (1) Subject to the limitations of the State budget, the Department shall purchase and provide opioid overdose reversal drugs approved by the federal Food and Drug Administration, at no cost, to the providers who are required to offer opioid overdose reversal drugs approved by the federal Food and Drug Administration under § 8–408 or § 19–310.3 of this article.

(2) An entity required to offer an opioid overdose reversal drug approved by the federal Food and Drug Administration under § 8–408 or § 19–310.3 of this article may provide an opioid overdose reversal drug approved by the federal Food and Drug Administration only if the opioid overdose reversal drug approved by the federal Food and Drug Administration is provided by the Department.

(3) THE DEPARTMENT SHALL ALLOW AN ENTITY THAT IS PROVIDED WITH OPIOID OVERDOSE REVERSAL DRUGS BY THE DEPARTMENT UNDER THIS SUBSECTION TO CHOOSE THE FORMULATION OR DOSAGE OF OPIOID OVERDOSE REVERSAL DRUGS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION WITH WHICH THE ENTITY IS TO BE PROVIDED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.